

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CURTIS McDANIEL,

Plaintiff,

-against-

THE PEOPLE OF THE CITY OF NEW
YORK, et al.,

Defendants.

19-CV-11265 (LLS)

ORDER

LOUIS L. STANTON, United States District Judge:

Plaintiff, who is currently incarcerated in Bare Hill Correctional Facility, filed this *pro se* action under 42 U.S.C. § 1983, while he was detained on Rikers Island. On August 28, 2020, the Court granted Plaintiff leave to submit a second amended complaint within 30 days. On September 15, 2020, the Court granted Plaintiff an additional 60 days from the date of the order to comply. Although Plaintiff's time to comply has not yet expired, on October 8, 2020, the Court received another request from Plaintiff for additional time. He asserts that he was "sickly" and was waiting to receive a copy of the amended complaint before drafting the second amended complaint.¹ (ECF No. 16.) Plaintiff's request for another extension of time to file a second amended complaint is GRANTED.

The Court grants Plaintiff leave to file his second amended complaint by December 15, 2020.² If Plaintiff fails to comply within the time allowed and cannot show good cause to excuse

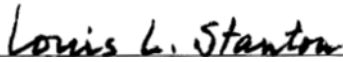
¹ Plaintiff asserts that he sent in \$47.00 to the Court's Records Department to obtain a copy of the 94-page amended complaint, and he anticipates that it will take about two to three weeks to receive the copy.

² Plaintiff's second amended complaint must comply with the Court's August 28, 2020 order. Plaintiff should note that the order does not require him to make legal arguments or include any evidence, but simply to allege facts suggesting that the named defendants violated his rights during his arrest, subsequent detention, and criminal proceedings. Plaintiff should only

such failure, this action will be dismissed for failure to state a claim upon which relief may be granted.

SO ORDERED.

Dated: October 14, 2020
New York, New York



Louis L. Stanton
U.S.D.J.

allege claims arising out of his July 14, 2015 arrest. Thus, there is no need at this juncture for Plaintiff to do legal research or obtain additional information.